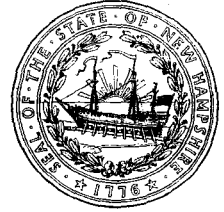




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

October 26, 2005

CERTIFIED MAIL
7000 1670 0001 2907 8798
RETURN RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. WMD 05-024

Eagle Publications, Inc.
401 River Rd.
Claremont, NH 03743

Attn: Harvey D. Hill, President

Re: Eagle Publications, Inc.
401 River Rd.
Claremont, NH
EPA ID No. NHD500021829

Dear Mr. Hill:

On August 11, 2005, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Eagle Publications, Inc. ("Eagle") in Claremont, NH. The purpose of the inspection was to determine Eagle's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

1. Env-Wm 504.02(d) and Env-Wm 504.02(b)(7)- Generator Notification

At the time of inspection, according to DES notification records, Eagle had notified as a Full Quantity Generator (>1000 kilograms/ month). However, a review of waste disposal records indicates that Eagle's generator status may be that of a Full Quantity Generator (> 100 kilograms/ month and < 1000 kilograms/ month).

Env-Wm 504.02(d) requires that a generator shall notify DES verbally or in writing of any changes to the information required in Env-Wm 504.02(b), including generator status, within 30 days of the effective date of the change.

DES requests that Eagle review its facility hazardous waste generation rates in order to determine its proper generator status; and if necessary, complete and submit a subsequent

notification form that accurately reflects the change in generator status. A notification form and instructions regarding its completion are enclosed to assist you with the determination of the facility's generator status.

2. Env-Wm 512.01(a)(1) – Recordkeeping - Manifest Copies

At the time of the inspection, Eagle did not have on file a copy of manifest number MAQ617005, dated July 6, 2005, that was certified by the designated facility. In addition, Eagle did not have on file the original generator copy for the following four (4) manifests:

- a. Manifest No. MAQ616294, dated October 13, 2004;
- b. Manifest No. F403067, dated August 06, 2003;
- c. Manifest No. F402963, dated June 20, 2003; and
- d. Manifest No. F402783, dated March 10, 2003.

Env-Wm 512.01(a)(1) requires that the generator keep all manifest copies, including the original generator copy and the copy certified by the designated facility, for three (3) years from the date of signature by the generator.

DES requests that Eagle obtain copies of the manifests listed above, and properly retain these copies and copies for all future shipments of hazardous waste.

3. Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, Eagle was storing one (1) 55-gallon container and one (1) 30-gallon container of used oil destined for recycling, in the ink storage area, which were not labeled with the words "Used Oil for Recycle." See the attached Container Inventory ("Inventory").

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requests that Eagle label all containers of used oil destined for recycle with the words "Used Oil for Recycle" at all times during accumulation and storage.

4. Env-Wm 807.06(b)(5) – Standards for Generators of Used Oil Being Recycled

At the time of the inspection, the one (1) 55-gallon container of used oil for recycle, stored in the ink storage area, was not closed (see the attached Inventory).

Env-Wm 807.06(b)(5) requires that used oil be placed in containers or tanks that remain closed at all times, except to add or remove wastes.

DES requests that Eagle keep all containers and tanks closed at all times except to add or remove used oil.

The August 11, 2005 inspection revealed that Eagle generates contaminated wipers that are collected for laundering by an outside contractor. The wipers were stored in unlabeled and unsealed containers within the facility. As a result, a potential hazard exists due to the contaminated wipers combined with the unsealed containers observed venting to the atmosphere. Contaminated wipers generated by Eagle are subject to the enclosed DES Environmental Fact Sheet #WMD- HW-6, "Contaminated Cloth Wipers for Laundering." However, Eagle's management practices are inconsistent with the established policy. Therefore, DES recommends that Eagle amend the current contaminated wiper management and storage practices to establish full compliance. Please submit documentation of full compliance with the DES "Contaminated Cloth Wipers for Laundering" Policy.

At the time of the inspection it was also noted that Eagle has floor drains in one of two dark rooms and in the press room. There is a potential for the discharge of regulated materials to the floor drains, in both of these locations to the on-site septic system. Brian Woodman, Press Room Supervisor, stated that both drains have been scheduled to be sealed; however, neither floor drain had been sealed by the date of this letter. By copy of this letter, this issue has been referred to DES's Water Division (WD). DES expects Eagle to pursue the issue of potential discharge to the floor drains and any registration that may be necessary by contacting Mitchell Locker of the WD at 271-2858.

DES believes the cited deficiencies can be corrected and a report describing the corrective measures taken by the Eagle can be **submitted within thirty (30) days of receipt of this letter**. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Eagle including issuing an order requiring that the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may re-inspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with the applicable rules. Fines may be pursued for any or all violations observed during this or subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Robert Bishop, Waste Management Specialist
DES/WMD
P.O. Box 95
Concord, NH 03302-0095

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.


The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM at (1-866) HAZ-WAST (in-state only) or (603) 271-2942.

Should you have any questions regarding this letter, please contact Robert Bishop, or Tod Leedberg, RCRA Compliance Supervisor at 271-2942. Thank you for your continued cooperation.

Sincerely,



John J. Duclos, Administrator
Hazardous Waste Compliance Bureau
Waste Management Division

cc: DB/RCRA/LOD/Archives
Anthony P. Giunta, P.G., Director, WMD/ Paul L. Heirtzler, P.E., Esq., Administrator, WMP, WMD
Gretchen Hamel, Administrator, DES Legal Unit
Brian Woodman, Press Room Supervisor, Eagle Publications, Inc., 401 River Rd., Claremont, NH 03743
Mitchell Locker, DES Water Supply Engineering, WD

E-mail: JJD/SD

Enclosure: Hazardous Waste Generator Inspection Report
RCRA C Site Identification Form; Notification of Hazardous Waste Activity
Instructions for Preparing the RCRA Subtitle C Notification Form
DES Environmental Fact Sheet #WMD- HW-6, "Contaminated Cloth Wipers for Laundering."